

SECOND REGULAR SESSION

HOUSE BILL NO. 1369

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SOMMER.

4104H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 209.150 and 209.200, RSMo, and to enact in lieu thereof two new sections relating to service dogs.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 209.150 and 209.200, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 209.150 and 209.200, to read as follows:

209.150. 1. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, shall have the right to be accompanied by a guide dog, hearing dog, or service dog, **as defined in section 209.200**, which is especially trained for the purpose, in any of the places listed in subsection 2 of this section without being required to pay an extra charge for the guide dog, hearing dog or service dog; provided that such person shall be liable for any damage done to the premises or facilities by such dog.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 4. As used in sections 209.150 to 209.190, the term "service dog" [~~means any dog~~
19 ~~specifically trained to assist a person with a physical or mental disability by performing necessary~~
20 ~~tasks or doing work which the person cannot perform. Such tasks shall include, but not be~~
21 ~~limited to, pulling a wheelchair, retrieving items, carrying supplies, and search and rescue of an~~
22 ~~individual with a disability]~~ **shall be as defined in section 209.200.**

209.200. As used in sections [~~209.200~~] **209.150** to 209.204, not to exceed the provisions
2 of the Americans With Disabilities Act, the following terms shall mean:

3 (1) "Disability", as defined in section 213.010 including diabetes;

4 (2) "Service dog", a dog that is being or has been specially trained to do work or perform
5 tasks which benefit a particular person with a disability. Service dog includes but is not limited
6 to:

7 (a) "Guide dog", a dog that is being or has been specially trained to assist a particular
8 blind or visually impaired person;

9 (b) "Hearing dog", a dog that is being or has been specially trained to assist a particular
10 deaf or hearing-impaired person;

11 (c) "Medical alert or [~~respond~~] **response** dog", a dog that is being or has been trained to
12 alert a person with a disability that a particular medical event is about to occur or to respond to
13 a medical event that has occurred;

14 (d) **"Mental health service dog" or "psychiatric service dog", a dog individually**
15 **trained for its owner who is diagnosed with a psychiatric disability, medical condition, or**
16 **developmental disability recognized in the most recently published Diagnostic and**
17 **Statistical Manual of Mental Disorders (DSM) to perform tasks that mitigate or assist with**
18 **difficulties including, but not limited to, alerting or responding to episodes such as panic**
19 **attacks and anxiety and performing other tasks directly related to the owner's psychiatric**
20 **disability, medical condition, or developmental disability including, but not limited to,**
21 **autism spectrum disorder, epilepsy, major depressive disorder, bipolar disorder,**
22 **Alzheimer's disease, dementia, post-traumatic stress disorder (PTSD), anxiety disorder,**
23 **obsessive- compulsive disorder, schizophrenia, and other mental illnesses and invisible**
24 **disabilities;**

25 (e) "Mobility dog", a dog that is being or has been specially trained to assist a person
26 with a disability caused by physical impairments;

27 [~~(e)~~] (f) "Professional therapy dog", a dog which is selected, trained, and tested to
28 provide specific physical therapeutic functions, under the direction and control of a qualified
29 handler who works with the dog as a team as a part of the handler's occupation or profession.
30 Such dogs, with their handlers, perform such functions in institutional settings, community-based
31 group settings, or when providing services to specific persons who have disabilities.

32 Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in
33 visitation therapy;

34 ~~(f)~~ (g) "Search and rescue dog", a dog that is being or has been trained to search for or
35 prevent a person with a mental disability, including but not limited to verbal and nonverbal
36 autism, from becoming lost;

37 (3) "Service dog team", a team consisting of a trained service dog, a disabled person or
38 child, and a person who is an adult and who has been trained to handle the service dog.

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